

MEMORANDUM

WASHINGTON, D. C.
January 25, 1941

TO Mr. M. E. Lynch, Director of Retirement Claims

FROM The General Counsel

SUBJECT The Wiggins Ferry Company

The history of the enterprise known as The Wiggins Ferry Company (hereinafter called the Ferry Company) begins with the Act of the General Assembly of the State of Illinois of March 2, 1819, authorizing one Samuel Wiggins and his heirs and assigns to establish a ferry on the Mississippi River. By later Acts, authority was granted for the construction of connecting turnpike roads and prescribing the rates and tolls for ferriage and use of the turnpike. On February 11, 1853, the legislature passed an act to incorporate the assignees of Samuel Wiggins as a corporation to be known as The Wiggins Ferry Company. Until 1870, according to the reply of the Terminal Railroad Association of St. Louis (hereinafter called the Terminal Association) to a questionnaire sent it by the Board, the Ferry Company operated only a wagon and passenger ferry and the Terminal Association says that "the service performed was not in connection with traffic moving by rail." But in 1870 it completed construction of tracks connecting with railroad lines entering the cities of St. Louis and East St. Louis and with its own inclines, thus enabling it to transfer railroad cars moving in through traffic from one side of the river to the other without breaking bulk. These tracks were later leased or sold to two railroad companies, the East St. Louis Connecting Railway Company located on the east side of the river at East St. Louis and the St. Louis Transfer Railway Company located on the west side at St. Louis, which it had organized in the years 1878 and 1884, respectively. These are referred to hereinafter as the Connecting Railway and the Transfer Railway.

In the record in the St. Louis Terminal Case,* containing transcripts of the testimony taken in the lower courts and the briefs on appeal, there is some description of the operations after 1870 of the Ferry Company. Its president, John Scullin, testified: "It operated the ferries, and operated the East St. Louis Connecting Railway, and operated portions of the Transfer Railway. . . . It connected with the Alton, with the Burlington, with the Vandalia, with the L. & N. - in fact with all the railroads coming into St. Louis. . . . We ran five boats at two landings on the east side

* 224 U.S. 383 (1912).

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of the river, and two on this side of the river; we ran five passenger ferry boats; and then we had transfer boats, two or three car transfer boats . . . We had seven or eight boats, of all kinds." These, he said, were used in the "transfer of cars, loaded and empty; coal; all different kinds of freight; wagon traffic; and passengers." He said that the chief work of the Ferry Company and its two subsidiaries, the Connecting Railway and the Transfer Railway, was to serve railroads "that terminated in East St. Louis, with business in St. Louis," that, not having cars of their own, they "simply provided the motive power for the cars that were furnished by the railroad lines with which they connected" and that their business "was simply a switching business."

The organization of the Terminal Association in 1889, which combined into one system terminal properties on both sides of the river at St. Louis and East St. Louis connecting with the Eads Bridge and the completion in 1890 of the St. Louis Merchants Bridge with its system of terminals on both sides of the river, together with the facilities of the Wiggins Ferry Company, resulted in there then being three independent and - at least as to service - competitive terminal and river transfer systems in operation in and between St. Louis and East St. Louis. This appears to have been substantially the situation in 1892, when the Rock Island Railroad Company, in an endeavor to obtain for itself its own terminal and transfer system, began to purchase the stock of the Ferry Company. Immediately, those lines which owned the Terminal Railroad Association began to bid against the Rock Island Company, and a contest ensued for control of the Ferry Company, in which the value of its stock at times rose to abnormal heights. At some time between 1892 and 1902, a compromise was reached by which the Rock Island was admitted into membership in the Terminal Association and such of the stock of the Ferry Company as it had acquired was turned over to the Association. Probably complete ownership of the Ferry Company stock on behalf of the Terminal Association had been acquired at some time prior thereto by those railroads who were then or later members of the Association, but the first step looking toward formal transfer of the stock to the Terminal Association does not seem to have taken place until December 16, 1902. On that date, according to the reply of the Terminal Association to our questionnaire, "the Terminal Railroad Association of St. Louis acquired control of the . . . [Connecting Railway, Transfer Railway, and the Ferry Company] by purchase of the stock of The Wiggins Ferry Company and gradually replaced the directors and officers with persons who were directors, officers and employees of the Terminal Association." Thus, the Ferry Company was, through affiliation with the Terminal Association, controlled by or under common control with a "carrier by railroad, subject to part I of the Interstate Commerce Act," within the meaning of the Railroad Retirement and Railroad Unemployment Insurance Acts since at least as early as December 16, 1902.

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The evidence available indicates that since its acquisition by the Terminal Association the Ferry Company and its subsidiaries, the Transfer Railway and the Connecting Railway, have been intimately connected with and have formed an integral part of the operations of the Terminal Association and that, possibly as a result of this fact, the separate corporate identities of the three companies have come to be merged with that of the Terminal Association to such a degree that, especially in the last few years, they have not had any practical operating existence apart from the Association. In the briefs and abstracts of the Terminal Association and the other defendants* in the St. Louis Terminal Case it is said,

"The Wiggins Ferry Company is a corporation organized in 1853 under special Act of the Legislature of the State of Illinois, entitled 'An Act to incorporate the Wiggins Ferry Company,' for the purpose of operating ferries across the Mississippi River at St. Louis. It is the owner of large tracts of land in the City of East St. Louis available for terminal uses, and is the owner of all the capital stock of the East St. Louis Connecting Railway Company, a corporation organized under the laws of the State of Illinois, in 1878, and which owns railway tracts along the river front in East St. Louis connecting with some of the railways entering that city. The Wiggins Ferry Company also owns all the stock of the St. Louis Transfer Railway Company, a corporation organized under the laws of the State of Missouri in 1884, and which owns railway tracks about six miles in length between Arsenal street on the south, and Calvary Avenue on the north. The tracks of the St. Louis Transfer Railway Company and of the East St. Louis Connecting Railway Company connect with the inclines of the

* The Wiggins Ferry Company; The St. Louis Merchants' Bridge Terminal Railway Company; The St. Louis Bridge Company; The St. Louis Merchants' Bridge Company; The Missouri, Kansas & Texas Railway Company; The St. Louis & San Francisco Railway Company; The Chicago & Alton Railway Company; The Baltimore & Ohio Southwestern Railroad Company; The Illinois Central Railroad Company; The St. Louis, Iron Mountain & Southern Railway Company; The Chicago, Burlington & Quincy Railway Company; The St. Louis, Vandalia & Terre Haute Railroad Company; The Wabash Railroad Company; The Cleveland, Cincinnati, Chicago & St. Louis Railway Company; The Louisville & Nashville Railroad Company; The Southern Railway Company; The Chicago, Rock Island & Pacific Railway Company; The Missouri Pacific Railway Company; The Central Trust Company of New York; A. A. Allen, S. M. Felton, A. J. Davidson, W. M. Green, J. T. Harshan, C. S. Clarke, H. Miller, Benjamin McKean, Joseph Ramsey, George E. Evans, C. E. Schaff, T. C. Powell, J. F. Stevens, A. G. Cochran, W. S. McChesney, Julius Walsh, W. W. Fisher and S. D. Webster.

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Wiggins Ferry Company. The Wiggins Ferry Company owns almost the entire river front north of the Eads Bridge opposite the City of St. Louis and operates a number of ferry boats for transportation across the river of wagon traffic and freight cars. The lands of the Wiggins Ferry Company in East St. Louis are very extensive and are so located as to be readily utilized for terminal facilities in connection with the properties owned and operated by the Terminal Association, in the Cities of St. Louis and East St. Louis." (Pages 69, 70, Appellees' Statement and Abstract, Case No. 386.)

"Radical improvement and enlargement of St. Louis terminals began with the construction of the Eads Bridge. This was the work of a bridge company which did nothing but build the bridge, and which was independent of all the railroad companies, save as it desired them to use the bridge. Another independent company constructed the tunnel; a third, connecting tracks on the east side; a fourth, connecting tracks on the west side, and a fifth built the Union Station.

"The facilities of the five companies must be used to bring passengers from the terminus of the railroad in East St. Louis, and debark them at the Union Station. This was a clumsy and inconvenient arrangement but it was the work of thirty years ago. It should have been done by one company, and the obvious advantages of a single system resulted in bringing these several facilities under one control [as the Terminal Association] in the year 1889. It is obvious also that the railroad companies having occasion to use these facilities should have the right to use them upon equal terms.

"As a consequence of the construction of the Eads Bridge, the Wiggins Ferry Company was compelled to make great changes in its mode of business. Through companies, one on the east side of the river and one on the west side, it constructed tracks along the river shores connecting with inclines, by means of which it was enabled to transfer cars from one side of the river to the other and avoid the breaking of bulk.

"In 1886, a new bridge, the Merchants, was projected and was authorized by Act of Congress of February 3rd, 1867. The St. Louis Merchants Bridge Company was incorporated to build the bridge. An Illinois Company was organized to construct connecting tracks on the Illinois side, and a Missouri corporation, the St. Louis Merchants' Bridge Terminal Railway Company, was organized to construct

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connecting tracks on the Missouri side. Here were three links in one and the same chain of communication. These three links were, and properly, brought under one control and constituted the Merchants' Terminal System. None of the railroad companies entering St. Louis had any ownership or control of this system.

"Here now were three distinct terminal systems no one of which, however, was sufficient for the needs of the situation.

"As to the passenger business, the older company was in control. It had the Union Station and connecting tracks, and all passenger trains must come in and go out of the Union Station. Its bridge, however, could be reached only by means of the tunnel and so all passengers to and from the East must go through the tunnel. The Merchants' Bridge had open approaches on both sides of the river, but no connections with the Union Station.

"As to freight, each of the companies had its own way of getting across the river and the old company had some sort of connection direct or indirect with all of the railroads on both sides of the river. The connections of the Wiggins Ferry and Merchants companies were not complete. But each of the companies could handle some of the business across the river and there was potential, if not actual, competition between them for some of it. How much of this business was thus open to competition is not shown by the testimony, but the physical conditions indicate that it could not have been a large proportion.

"On the west side of the river there was but little territory common to the three systems or to any two of them. The old company had the Mill Creek Valley, the Merchants Company had North St. Louis, and the Wiggins Ferry the southern section of the city. To transfer or switch from one section of the city to the other required the use of the tracks of two and often three of the companies.

"Neither of these systems, then, was a complete one either as to passenger or freight service. If passengers to or from the east were to be spared the passage of the tunnel, properties of the older terminal company and the Merchants Company must both be used, the station and tracks of the one, and the bridge and tracks of the other. If the different railroads entering into the city were to be brought into efficient union with each other, and if the warehouses and factories of the city were, each and all of

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them, to be brought into track connections with each and all of the railroads, the facilities of all the terminal companies must be united and used in common for that purpose. Either that must be done or each of the three terminal companies must develop a complete system of its own.

"The railroad companies determined upon one system of terminals, and to accomplish this, the leading ones among them acquired control in the manner alleged in the answer of the three terminal companies." (Pages 14-17, Appellees' Statement and Abstract, Case No. 386.)

"The essence of the charge is, that the fourteen railroad companies, named in the bill, and generally referred to as the Proprietary Companies, in the manner hereinbefore stated, acquired the control of the three Terminal Companies, viz: The Terminal Railroad Association, St. Louis Merchants Bridge Terminal Railway Company, and the Wiggins Ferry Company, each competitor with the others for the purpose of stifling competition, compelling all other railroad companies to use the facilities of the Terminal Companies and imposing unreasonable charges for their use in the transfer of freight and passengers between St. Louis and East St. Louis and all the States of the United States and foreign countries.

"There is no denial in the joint answer of the co-defendants that the use of terminal systems, so designating them for convenience, has been subjected to the control of the railroad companies and each is being operated as part of one general and comprehensive terminal plan or arrangement; but it is averred that each of the three was incomplete in itself, and that they were brought into unison in order to supplement each the deficiency of the other, and perform more economically and with more facility and dispatch the terminal service for all the railroads which enter St. Louis and East St. Louis, . . . As a result of the union, the efficiency of the terminal facilities has been greatly increased, . . ." (Pages 5, 6, Appellees' Statement and Brief, Case No. 386.)

In the later cases arising out of the original trust litigation, United States v. Terminal Railroad Association of St. Louis 236 U.S. 194, Terminal Railroad Association of St. Louis v. United States, 266 U.S. 23, the relation of the Ferry Company to the terminal system at St. Louis and East St. Louis is again recognized and the decision in those cases did not result in disturbing this relationship. Testifying at the hearing in St. Louis Independent Packing Company v. Director General, 73 I.C.C. 459, W. C. Stith, traffic manager of the Terminal Association, said:

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"The Terminal Railroad Association of St. Louis is the bringing together of a number of corporations owning or controlling terminal facilities, bridges, river transfer facilities, and industrial track facilities into one unified terminal system.

"These facilities embrace approximately 350 miles of track, of which three-fifths are located east of the Mississippi River in East St. Louis, Granite City, Madison, in Madison and St. Clair Counties, Illinois, covering a district some fifteen miles in length from north to south and about three and one-half miles wide at the point of greatest distance from the Mississippi River; two-fifths on the west side of the river in the City of St. Louis, and in St. Louis County, Missouri.

"These tracks, upon both sides of the river, are distributed over an area of some 125 square miles.

"For convenience of operation, these facilities are operated in three sections:

"First, the Terminal Railroad Association operating its lines in the Mill Creek Valley, the Union Station, Eads Bridge.

"Second, the St. Louis Merchants Bridge Terminal Railway Company, operating the Merchants bridge, the elevated line from the river front, St. Louis, leading to the Union station; with the tracks in north St. Louis between the elevated line and the Merchants bridge; the tracks north of the Merchants bridge, including the north, west and central belt lines, also the Madison yards, Granite City district, and the Illinois Transfer Railway.

"Third, the Wiggins Ferry Company operates the St. Louis Transfer Railway extending along the river front in St. Louis from Arsenal Street. On the south to North Grand Avenue; on the north a distance approximately nine miles. On the east side, the East St. Louis Connecting Railway Company, along the river front from Venice and Madison on the north to Dupo, on the south, operating the East St. Louis and Carondelet Railway Company, a distance of some twelve miles. Also passenger and vehicle ferry boats plying between the east and west banks of the river.

"Each of the operating sections has its own classification and hold yards, team tracks and industrial tracks. The system has track connections with all carriers reaching St. Louis and East St. Louis. Owing to its

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physical location and character and service, it is indispensable to the communities and connecting carriers served by it. There are three hundred and fifty industries served by these facilities, some of them being the largest of their kind in this section of the country.

"Normally there are about 8000 persons employed in its activities. They own 184 locomotives." (Transcript of testimony, pages 157-159, Complaint Docket 11566.)

Obviously, then the Ferry Company performed for many years a service of transportation which as such would clearly be a "service in connection with the transportation of passengers or property by railroad . . . or the . . . transfer in transit . . . of property transported by railroad," within the meaning of the Railroad Retirement and Railroad Unemployment Insurance Acts.

But according to the reply of the Terminal Association to our questionnaire the car transfer ferry which the Ferry Company had operated since 1870 was discontinued and the traffic previously handled in the car ferry service routed over tracks of the St. Louis Merchants Bridge Terminal Railway Company in 1914. Since early in 1894 the Ferry Company had been filing tariffs with the Interstate Commerce Commission naming rates on various commodities, and prescribing freight classifications, car rental, weighing and storage rules, in addition to its switching and transfer and lighterage charges. The last of these was withdrawn in 1913 and thereafter the only tariff of the Ferry Company on file with the Commission which remained in effect was its joint wagon ferry circular (freight tariff I.C.C. No. 77), under which the five line-haul carriers parties to the tariff absorbed the Ferry Company's tolls on wagon traffic destined to their depots in St. Louis and East St. Louis. During this period it had been submitting annual reports to the Commission as a switching and terminal company. In 1927 the Bureau of Statistics of the Commission wrote to the Ferry Company:

"Annual reports have been filed in behalf of The Wiggins Ferry Company for a number of years in Annual Report Form A-Large and Medium Steam Roads and Switching and Terminal Companies.

"Recent consideration of the matter of the classification of railway companies has revealed the fact that the railroad property of The Wiggins Ferry Company has been leased for some time to other organizations, the Terminal Railroad Association of St. Louis, at the present time, operating the property in question.

"As The Wiggins Ferry Company is primarily a railroad company, with an auxiliary wagon and ferry service, it

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appears to us that its classification should be that of a lessor company. . . ."

Beginning with the year 1927 and until 1933 the Ferry Company reported to the Commission as a lessor company. In these reports the Ferry Company is shown as the owner of yard and side tracks which until 1925 are shown as under lease to the Transfer Railway and under lease to the Terminal Association after 1925. The basis upon which the Bureau of Statistics classified the Ferry Company in 1927 as a lessor steam railroad, though, does not present the entire picture. Actually the Ferry Company was then and had been for a considerable time prior thereto (for just how long need not be decided now) no more than an operating department of the Terminal Association. While the material quoted earlier is as persuasive of this conclusion as it is of a conclusion that the Ferry Company was performing a service in connection with the transportation of persons or property by railroad, there are other indications to the same effect.

The property of the Ferry Company, together with that of the Terminal Association, was operated by the United States Government during the period of Federal control, although at that time the Ferry Company, according to the reply of the Terminal Association to our questionnaire, was no longer performing its car transfer service and was engaged only in wagon hauls covered by the wagon circular and local river traffic. Beginning in 1927 with its first annual report as a lessor company the Ferry Company stated that all its employees and officers were carried on the payroll of the Terminal Association. For some of the earlier years it had reported some employees and some officers on its payroll while indicating that some others were on the Terminal Association payroll; for other years the reports do not indicate that any of its employees or officers were carried on its own payrolls. In its reply to our questionnaire the Terminal Association says that the employees of the Ferry Company were transferred to its payrolls in 1921 and that "for the past three years The Wiggins Ferry Company has had no employees" (its letter transmitting the reply to the questionnaire is dated October 4, 1938). Yet the annual reports indicate that the ferry properties were not leased to the Terminal Association.

The Terminal Association also says in answer to the questionnaire that the wagon and passenger ferry was discontinued in 1927. This seems to be in error. In a letter dated June 30, 1931 to the Bureau of Statistics from the Terminal Association this service is spoken of as "the ferry service maintained by The Wiggins Ferry Company," and its reports until 1933 describe, as part of its properties, "wagon and passenger ferries" which are said to be used in the business of "transporting vehicles and passengers across the Mississippi River." In the letter of June 30, 1931 just mentioned it is indicated that a relatively small portion of the business

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represented traffic moving under the ferry circular. Revenue from operation of the ferries is listed in the reports until 1929. None is shown for the years 1930 to 1932, although operating expenses for each of these years are shown. This may indicate that the ferry service was discontinued during those years. The letter of June 30, 1931 does mention that the service was discontinued during the year 1930 and the net revenue for each year is simply the difference between the operating expenses for that year and the preceding year. But the service was not and has not been abandoned, as will be shown later.

Effective February 5, 1932 all tariffs, concurrences, and powers of attorney of the St. Louis Belt and Terminal Railway Company, the St. Louis Merchants Bridge Terminal Railway Company, the Connecting and the Transfer Railway and the wagon circular of the Ferry Company were adopted by the Terminal Association. The wagon circular, along with all other instruments of the other companies affected by the adoption notice, thus became the property of the Terminal Association and the wagon circular, not having been cancelled since its adoption by the Terminal Company, was the tariff of the latter on August 29, 1935, and is today. By this tariff the Terminal Association, and not the Ferry Company, held itself out on August 29, 1935 to perform the service which the tariff offers to the public. Writing in explanation of this notice of adoption, the Terminal Association informed the Bureau of Statistics of the Commission in a letter dated March 17, 1932:

"This adoption covers tariffs, concurrences and powers of attorney in connection therewith formerly in the names of the respective carriers, and does not affect in any way the operation of these companies or their reports to the Commission. As of January 1, 1926, the Terminal Railroad Association of St. Louis, by proper order of the Commission, took over the operation of all of these properties." (Presumably, the reference here is to the order of the Commission in the Control of Subsidiaries case, 99 I.C.C. 698 (1925).)

Beginning with its report for the year 1933 the wagon and passenger ferry service is reported to the Interstate Commerce Commission as a part of its operations by the Terminal Company. The ferry service is mentioned in the 1933 report of the Ferry Company, the last it submitted to the Interstate Commerce Commission, but the statement of operating revenue is carried in the report for that year of the Terminal Association. The report of the Ferry Company states:

"Effective January 1, 1933 a change in accounting practice was put into effect whereby the accounting is recorded in the books of the Terminal Railroad Association of St. Louis. The entire capital stock

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of the Wiggins Ferry Company is owned by the Terminal Railroad Association of St. Louis and its operations which are nominal are reflected in the accounts of the Terminal Railroad Association of St. Louis."

On May 10, 1934 the Terminal Association wrote to the Bureau of Statistics:

"In addition to The Wiggins Ferry Company, we have been filing annual reports, form "E", for the St. Louis Merchants Bridge Terminal Railway Company, East St. Louis Connecting Railway Company and St. Louis Transfer Railway Company, and, since all of the capital stock and funded debt of these companies is owned by or for the Terminal Railroad Association of St. Louis, and their operations are included in the report of that company, application is hereby made to the Commission to have the four companies referred to considered as proprietary companies of the Terminal Railroad Association of St. Louis and to discontinue filing annual reports."

The Bureau replied on May 16, 1934:

"In view of the statement contained in your letter of May 10, file A-70, that the entire capital stock and funded debt of the

"Wiggins Ferry Company
St. Louis Merchants Bridge Terminal
Railway Company
East St. Louis Connecting Railway Company
St. Louis Transfer Railway Company

are controlled by or for the Terminal Railroad Association of St. Louis, it is proper under the provisions of the Commission's order of June 5, 1916, to excuse these companies from the filing of further annual reports.

"Attention is called to the schedule appearing on page 221 of Annual Report Form A which is designed for the furnishing of information pertaining to proprietary companies. Companies which come within the provisions of the order mentioned are known under that title. It is the expectation, therefore, for 1934 and subsequent years, as long as the conditions continue as outlined, that information relating to the companies definitely named herein is to be shown in Schedule 240 of the report of the Terminal Railroad Association of St. Louis."

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Revenues from operations of the ferry and operating expenses are shown in the annual reports of the Terminal Association for the years 1933 and 1934, as a part of its miscellaneous operations, but only operating expenses appear in the next two years, indicating, again, a suspension of service. Statistics relating to miscellaneous operations are dropped from later reports, but in all reports from 1934 to date of the Terminal Association figures reflecting the results of operation by the Terminal Association of the properties of the Ferry Company are carried in its system statements in its comparative general balance sheet, income account and profit and loss account. The annual report forms state that the term "proprietary company"

"... includes each line full title to which is in an inactive proprietary corporation of the respondent (i.e., one all of whose outstanding stocks or obligations are held by or for the respondent, and which is operated by the respondent or an affiliated system corporation without any accounting to the said proprietary corporation). . . . An inactive corporation is one which has been practically absorbed in a controlling corporation, and which neither operates property nor administers its financial affairs; if it maintains an organization it does so only for the purpose of complying with legal requirements and maintaining title to property or franchises."

It is significant, too, that the Terminal Association, in verifying the service which the applicant James Maurer, A-94177, claims he rendered to the Ferry Company from February 11, 1901 to March 20, 1909, as a deck hand and fireman, classifies the Ferry Company as a "department or division" of the Terminal Association known as the "Wiggins Ferry Boats," and that it says in its return to our questionnaire that the Ferry Company "is a part of the Unified Terminals and Switching Facilities" of the Association.

It is pointed out earlier that the Ferry Company was controlled by or under common control with a "carrier by railroad, subject to part I of the Interstate Commerce Act," within the meaning of the Railroad Retirement and Railroad Unemployment Insurance Acts, through affiliation with the Terminal Association since at least as early as December 16, 1902. Actually, though, that date was the date upon which the ownership of its stock was formally transferred by the members of the Terminal Association to the Association itself, and such control through acquisition of its stock by the members of the Terminal Association must have existed for some time prior to the formal transfer. Moreover, it seems clear that control, within the meaning of the Acts, had existed at least since 1887, when the Interstate Commerce Act was enacted, since for some years prior thereto the Ferry Company had been operating its terminal and transfer system in connection with its subsidiaries, the Connecting Railway and the

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Transfer Railway. Indeed it may have been at some time a carrier by railroad itself. The nature of the service offered by it was, of course, not changed by its entry into the terminal system of the Terminal Association.

Therefore on the basis of the above it is my opinion that service is creditable to the Ferry Company as an "employer" from February 4, 1887 (the Interstate Commerce Act was approved on that date and it is clear that at that time the Ferry Company was under common control with the Connecting Railway and the Transfer Railroad which were clearly carriers by railroad subject to the Interstate Commerce Act) to February 5, 1932 (the date on which its last circular was adopted by the Terminal Association), and service thereafter is creditable to the Terminal Association, since at least by that time it had become merely a department of the Terminal Association.

Lester P. Schoene
General Counsel